

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN THE MATTER OF:

TIMOTHY ALLEN SHULL
CHERYL ANN SHULL

Debtors

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CASE NO. 05-16400

DECISION AND ORDER

At Fort Wayne, Indiana, on December 14, 2005.

The notice of motion and opportunity to object which debtor (hereinafter “Movant”) served in connection with its Motion to Sell Real Estate - 5305 South Hanna Street, Fort Wayne, Indiana 46806 does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The certificate of service accompanying the notice indicates that additional parties were served by reference to an attached list. No such list was attached.

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court